

## **X in a Box, LLC**

### **Privacy Policy**

**Effective Date: September 23, 2021**

X in a Box, LLC (“X in a Box,” “we,” “us,” or “our”) respects your privacy and we are committed to protecting it through our compliance with this Privacy Policy (the “Policy”).

This Policy describes the types of information we may collect from you or that you may provide when you visit our Site, access our Site and Content, establish an account, and provide User Content, and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This Policy applies to information we collect:

- On our Site.
- In e-mail and other electronic messages between you and us.
- When you use our Site and Content, such as create an account, etc.

It does not apply to information collected by:

- use offline or through any other means, including on any other website operated by us or any third party (including our affiliates and subsidiaries); or
- any third party, including through any application or content (including advertising) that may link to or be accessible from our Site.

Please read this Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Site and or Content. By accessing or using our Site and/or by establishing an account, you agree to this Policy.

This Policy is part of our User Agreement. Any capitalized term not defined herein will have the same meaning as ascribed to it in our User Agreement. From time to time, we reserve the right to modify or amend the terms of our Policy. Such modifications will be in accordance with our respective User Agreement.

**BY ACCESSING OUR SITE AND/OR ACCESSING OUR CONTENT YOU AGREE TO AND ACCEPT THE PRACTICES DESCRIBED IN THIS PRIVACY POLICY. IF YOU DO NOT AGREE WITH THE TERMS OF THIS PRIVACY POLICY OR OUR APPLICABLE TERMS OF SERVICE AGREEMENT, PLEASE DO NOT ACCESS OUR SITE AND CONTENT AND/OR CREATE AN ACCOUNT.**

#### **1. TERRITORIAL SCOPE**

Our Site and Content available for use in the United States of America (the “U.S.”) and Canada.

#### **2. MINORS AND CHILDREN UNDER THE AGE OF 13**

Our Site and Content are available for use by children ages 13 – 18 only with the consent of their legal parent or guardian. Further, we do not knowingly collect personal information from children under age 13. If we determine that a customer is under the age of 18 and we do not have the consent of their legal parent or guardian, we will immediately terminate the associated account and delete any information provided. Any parent or legal guardian who has provided

consent to us but wants to withdraw it should contact us. In addition, if you believe we might have any information from or about a child under 18 without appropriate consent, and especially information from or about a child under 13, please contact us. Our contact information is [info@storyxperiential.com](mailto:info@storyxperiential.com).

### **3. INFORMATION WE COLLECT ABOUT YOU**

We collect Personal Information (defined below) and information that is not Personal Information (“**Non-Personal Information**,” together with Personal Information, “**Information**”) regarding our Users. For the purposes of this Policy, “Personal Information” means the information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to a person or a household. We may combine Non-Personal Information with Personal Information, and in those circumstances we will treat the combined information as Personal Information. We collect several types of Personal Information from and about our Users of our Site, including the following information:

- First and Last Name of the User
- User’s Email Address
- Grade level of the User (as applicable)
- Username
- Parent/Guardian’s Email Address (as applicable)
- School Information
- Geolocation Information
- Aggregated Information
- Device Identifying Information

### **4. HOW WE COLLECT YOUR INFORMATION**

We collect your information from various sources that may include, for example, the following:

- **You Directly.** Information you provide directly when you use or otherwise interact with our Site and Content; establish an online account; submit your Content; contact us; provide us feedback and/or submission; interact with other customers on the Site. You may also provide information to be published or displayed on public areas of our Site, or transmitted to other customers or users of the Site. Although we limit access to certain pages, please be aware that no security measures are impenetrable. We cannot control the actions of other customers or users of the Site with whom you may choose to share your User Content. Therefore, we cannot guarantee that your User Content will not be viewed by unauthorized persons.
- **Your Browser or Device.** Information collected automatically as a result of your interaction with us and your use of the Service. The information that we automatically collect, include your IP Address, geolocation information (which may include specific longitude and latitude), time zone, usage times and volume,

and information about the device you are using (for example, device type, device ID, characteristics and status, browser type, screen size, internet bandwidth, and operating system and application), language preference, URL click stream, or information that we collect through our marketing activities, we use Wix Analytics to collect such data. Terms of Use for Wix Analytics are available here: <https://www.wix.com/about/terms-of-use>.

We may also use cookies to collect the above information. Cookies are small files of letters and numbers stored on your browser or device that enable the cookie owner to recognize the device when it visits websites or uses online services. The website you visit may set cookies directly, known as first-party cookies, or may trigger cookies set by other domain names, known as third-party cookies. While we may automatically use some cookies that are strictly necessary to provide the services you request or enable communications, we request your consent for all of our other cookie uses.

We may use the following types of cookies:

- Strictly necessary cookies. Our Site requires the use of these cookies to properly operate or provide necessary functions relating to the services you request. They include, for example, cookies enabling you to securely log into our Site. These are persistent cookies that generally last 30 days.
- Analytical/performance cookies. These cookies allow us and our third-party service providers to recognize and count the number of visitors and to see how visitors move around our website when they are using it. This helps us improve how our website works by, for example, ensuring that customers can easily find what they need on our website. These cookies generate aggregate statistics that are not associated with an individualized profile and are persistent cookies that generally last 30 days.
- Functionality cookies. These cookies enable helpful but non-essential website functions that improve your Site experience. By recognizing you when you return to our Site, they may, for example, allow us to personalize our content for you, greet you by name, or remember your preferences. These are persistent cookies that generally last 30 days.
- **Social Media Networks**. Information that your social media network provides to us if you connect your social media account with your account. For example, this may include your social media ID or username, name, email address, general location, friends list, and demographic information such as gender or birthday/age. Note that certain of the information we receive will become part of your account and will be subject to this Policy.
- **Third-Party Service Providers**: Information we may collect about you from our third-party service providers, such as our payment processing partners. Currently we use Wix to process payments. We currently use Flipgrid for photograph and video submissions. We do not receive any of your payment related information. Please review Wix's privacy policy, which is available here: <https://www.wix.com/about/privacy>.

- **Otherwise in accordance with our agreements with you.** Information as described elsewhere in this Policy, any applicable terms, or at the time such information is collected.

## 5. HOW WE USE YOUR INFORMATION

We use information that we collect about you or that you provide to us, including any Personal Information:

- To present our Site and its contents to you, as applicable.
- To provide you with information, products or services that you request from us.
- To notify you about changes to our Site or any additional services that we offer or provide through it.
- To allow you to participate in interactive features on our Site.
- To improve your experience.
- To build your profile and associate database for you to properly access our Site.
- Provide customer support.
- Internal recordkeeping.
- Market research.
- Investigate, deter, and protect against fraudulent, unauthorized, or illegal activity.
- Inform you about promotions, events, and news related to our Site.
- In any other way we may describe when you provide the information.
- Contact you with respect to our Site.
- To fulfill any other purpose for which you provide it.

## 6. DISCLOSURE OF YOUR INFORMATION

We may disclose aggregated information about our Users and information that does not identify any individual, without restriction.

We may disclose Personal Information that we collect, or you provide as described in this Policy:

- To our employees on a need to know basis.
- To our affiliated companies on a need to know basis.
- In anonymized and/or aggregated form to contractors, service providers and other third parties, such as our payment processing partners, we use to support our business and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them.
- To a buyer or successor in the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation or similar

proceeding, in which Personal Information held by us about our Site, and User data is among the assets transferred.

- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your Personal Information:

- To comply with any court order, law or legal process, including responding to any government or regulatory request.
- To enforce or apply other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect our rights, property, or safety, or the rights, property, or safety of our customers or others.
- To a parent company, a purchaser of all or substantially all of our assets, or to any successor by way of merger, acquisition, consolidation, or similar transaction.

## **7. CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR INFORMATION**

We strive to provide you with choices regarding the information you provide to us. We have created mechanisms to provide you with the following control over your information:

a. **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of our Site may then be inaccessible or not function properly.

b. **Disclosure of Your Information for Third-Party Advertising.** We do not sell, trade, or otherwise transfer your Personal Information unless we provide you with advance notice. However, this does not include website hosting partners and other third parties who assist us in operating our Site, conducting our business, or servicing, so long as those parties agree to keep your information confidential.

c. We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's [website](#).

## **8. THIRD PARTY LINKS ON OUR SITE**

Our Site may contain links to other third-party websites for your convenience. We are not responsible for the privacy policies and practices of other third parties and any information you submit to a third party is subject to their privacy policy. Once you leave our Site, or are redirected to a third-party website, application, or other online service, we encourage you to read the privacy policy applicable to that third party.

## **9. OPT-OUT OF COMMUNICATIONS WITH X IN A BOX**

a. **E-mail Contact.** You may opt-out of receiving promotional e-mail communication from us by sending us an e-mail at [info@storyxperiential.com](mailto:info@storyxperiential.com), or by clicking the "unsubscribe" button at the bottom of our emails that we send to you. Please note that you will not be able to opt-out of transactional e-mail communication, such as communication related to your account activities.

b. **Push Notification.** You can opt out of receiving push notifications through your device settings. Please note that opting out of receiving push notifications may impact your use of the Site.

## **10. DELETING YOUR ACCOUNT**

a. You may delete your Account by going to the “settings” tab.

b. **Effect of Deletion/ Deactivation.** Except as required by law, X in a Box has no obligation to retain or provide you with copies of your Content, and we do not guarantee any confidentiality with respect to your Content. Upon your deletion of the account, X in a Box reserves the right to delete you Content.

## **11. YOUR CALIFORNIA PRIVACY RIGHTS**

We do not sell, trade, or otherwise transfer to outside third parties your Personal Information. California Civil Code Section § 1798.83 permits customers of our Site that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to [info@storyxperiential.com](mailto:info@storyxperiential.com).

Further, the California Consumer Privacy Act of 2018, as amended (Cal. Civ. Code §§ 1798.100 to 1798.199) (“CCPA”), does not apply to us. If you have any questions or concerns about the CCPA or its non-applicability to us, please do not hesitate to e-mail us at [info@storyxperiential.com](mailto:info@storyxperiential.com).

## **12. DATA PROCESSING AND SECURITY**

We have implemented measures designed to secure your Personal Information from accidental loss and from unauthorized access, use, alteration and disclosure. All information you provide to us is stored on our secure servers behind firewalls.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Site, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your Personal Information, by encrypting data in transit, we cannot guarantee the security of your Personal Information transmitted to our Site. Any transmission of Personal Information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Site.

Data that you provide is hosted on dedicated servers of our third-party partners.

## **13. CHANGES TO OUR PRIVACY POLICY**

We may need to modify the terms of this Policy and we encourage you to review this Policy regularly. We will modify our Privacy Policy in accordance with our User Agreement. In the event, we modify the terms of this Policy, such modifications shall be binding on you only upon your acceptance of the modified Policy. Your continued use of the Site shall constitute your consent to such changes. Your continued use of the Site means that you accept all modified terms of the Policy.

#### **14. CONTACT INFORMATION**

To ask questions or comment about this Privacy Policy and our privacy practices, contact us at: [info@storyxperiential.com](mailto:info@storyxperiential.com).

**OR**

**X in a Box LLC**

**2209 Eunice Street  
Berkeley, CA 94709**

**PLEASE NOTE: IF YOU USE OUR SITE YOU HAVE AGREED TO AND ACCEPTED THE PRACTICES DESCRIBED IN THIS POLICY. IF YOU DO NOT AGREE WITH THE TERMS OF THIS POLICY OR OUR TERMS OF SERVICE PLEASE DO NOT USE OUR SITE.**

Archived Versions of Privacy Policy